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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

RICHARD MEDINA

MAGISTRATE JUDGE ASHMAN
) No. **11 CR 0124**
)
) Violations: Title 21, United States
) Code, Section 841(a)(1), and Title
) 18, United States Code, Section
) 924(c)(1)(A)
)

FILED
Feb 16, 2011
FEB 16 2011

COUNT ONE

The SPECIAL MARCH 2010 GRAND JURY charges:

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

On or about November 2, 2009, at Berwyn, in the Northern District of Illinois, Eastern Division, and elsewhere,

RICHARD MEDINA,

defendant herein, did knowingly and intentionally possess with intent to distribute controlled substances, namely, five kilograms or more of mixtures and substances containing a detectable amount of cocaine, a Schedule II Narcotic Drug Controlled Substance, and 100 grams or more of mixtures and substances containing a detectable amount of heroin, a Schedule I Narcotic Drug Controlled Substance, a Schedule I Narcotic Drug Controlled Substance;

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWO

The SPECIAL MARCH 2010 GRAND JURY charges:

On or about November 2, 2009, at Berwyn, in the Northern District of Illinois, Eastern Division, and elsewhere,

RICHARD MEDINA,

defendant herein, did knowingly and intentionally manufacture a Schedule I Controlled Substance, 100 or more marijuana plants, a Schedule I Controlled Substance,

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT THREE

The SPECIAL MARCH 2010 GRAND JURY charges:

On or about November 2, 2009, at Berwyn, in the Northern District of Illinois, Eastern Division, and elsewhere,

RICHARD MEDINA,

defendant herein, did knowingly and intentionally possess with intent to distribute a Schedule I Controlled Substance, 100 or more marijuana plants, a Schedule I Controlled Substance,

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT FOUR

The SPECIAL MARCH 2010 GRAND JURY further charges:

On or about November 2, 2009, at Berwyn, in the Northern District of Illinois, Eastern Division,

RICHARD MEDINA,

defendant herein, did knowingly possess a firearm, namely,

- (1) a loaded Smith & Wesson model 28-3 .44 Magnum revolver, bearing serial number AVC2320,
- (2) a loaded H. Weihrauch blue steel .357 revolver, bearing serial number 1008768,
- (3) a Luger Model C9 9mm pistol with an obliterated serial number,
- (4) a SDW Bravo M-11 9mm handgun, bearing serial number 89-0043230,
- (5) an Intertec 9mm Luger Tech 9, bearing serial number 9174,
- (6) an Intertec 9mm Luger AB10, bearing serial number A039093
- (7) a F.B. Radom VIS-wz.35, 1938r, semi-automatic pistol, bearing serial number 26336,
- (8) a Smith & Wesson model SMW 40F .40 caliber pistol with an obliterated serial number,
- (9) a Smith & Wesson Model SMW9VW 9mm pistol, bearing serial number PDX6267,
and
- (10) a Smith & Wesson Model CFW .25 automatic, bearing serial number 2258

in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, possession with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), as charged in Count One of this indictment;

In violation of Title 18, United States Code, Section 924(c)(1)(A).

FORFEITURE ALLEGATION ONE

The SPECIAL MARCH 2010 GRAND JURY further alleges:

1. The allegations of Count Four of this Indictment are realleged and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. As a result of his violation of Title 18, United States Code, Section 924(c)(1)(A), as alleged in Count Three of the foregoing Indictment,

RICHARD MEDINA,

defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any and all right, title and interest he may have in any property involved in the charged offense.

3. The interests of the defendant subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c) include, but are not limited to:

- (a) a loaded Smith & Wesson model 28-3 .44 Magnum revolver, bearing serial number AVC2320, and associated ammunition;
- (b) a loaded H. Weihrauch blue steel .357 revolver, bearing serial number 1008768, and associated ammunition;
- (c) a Luger Model C9 9mm pistol with an obliterated serial number, and associated ammunition;
- (d) a SDW Bravo M-11 9mm handgun, bearing serial number 89-0043230, and associated ammunition;
- (e) an Intertec 9mm Luger Tech 9, bearing serial number 9174, and associated

ammunition;

- (f) an Intertec 9mm Luger AB10, bearing serial number A039093, and associated ammunition;
- (g) a F.B. Radom VIS-wz.35, 1938r, semi-automatic pistol, bearing serial number 26336, and associated ammunition;
- (h) a Smith & Wesson model SMW 40F .40 caliber pistol with an obliterated serial number, and associated ammunition;
- (i) a Smith & Wesson Model SMW9VW 9mm pistol, bearing serial number PDX6267, and associated ammunition; and
- (j) a Smith & Wesson Model CFW .25 automatic, bearing serial number 2258, and associated ammunition.

All pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

FORFEITURE ALLEGATION TWO

The SPECIAL MARCH 2010 GRAND JURY further alleges:

1. The allegations of Count One of this Indictment are realleged and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Sections 853(a)(1) and (2).

2. As a result of his violation of Title 21, United States Code, Section 841(a)(1), as alleged in Count One of the foregoing Indictment,

RICHARD MEDINA,

defendant herein, shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 853(a)(1) and (2): any and all property constituting and derived from, any proceeds he obtained, directly or indirectly, as a result of the violation of Title 21, United States Code, Section 841(a)(1), as charged in Count One of this Indictment; and any and all property used, or intended to be used, in any manner or part, to commit and facilitate the commission of said violation.

3. The interests of the defendant subject to forfeiture pursuant to Title 21, United States Code, Sections 853(a)(1) and (2) include, but are not limited to:

- (a) a loaded Smith & Wesson model 28-3 .44 Magnum revolver, bearing serial number AVC2320, and associated ammunition;
- (b) a loaded H. Weihrauch blue steel .357 revolver, bearing serial number 1008768, and associated ammunition;
- (c) a Luger Model C9 9mm pistol with an obliterated serial number, and associated ammunition;
- (d) a SDW Bravo M-11 9mm handgun, bearing serial number 89-0043230, and associated ammunition;

- (e) an Intertec 9mm Luger Tech 9, bearing serial number 9174, and associated ammunition;
- (f) an Intertec 9mm Luger AB10, bearing serial number A039093, and associated ammunition;
- (g) a F.B. Radom VIS-wz.35, 1938r, semi-automatic pistol, bearing serial number 26336, and associated ammunition;
- (h) a Smith & Wesson model SMW 40F .40 caliber pistol with an obliterated serial number, and associated ammunition;
- (i) a Smith & Wesson Model SMW9VW 9mm pistol, bearing serial number PDX6267, and associated ammunition; and
- (j) a Smith & Wesson Model CFW .25 automatic, bearing serial number 2258, and associated ammunition.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY